DOCKET NO. SC11493TH

UNITED STATES PATENT AND TRADEMARK OFFICE

PPLICANT

William C. Moyer

**GROUP ART UNIT: 2183** 

GROUP ART UNIT:

2183

APPLN. NO.:

09/799,886

EXAMINER:

Henry Tsai

FILED:

February 9, 2001

**CONFIRMATION No.: 8092** 

TITLE:

DATA PROCESSOR AND METHOD OF OPERATION

Certificate of Transmission under 37 C.F.R 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office.

on 9-27-04

Signature

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# COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

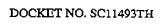
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This paper is filed contemporaneous with the filing of the issue fee for this application. Entrance of the comments provided below regarding the statement of reasons for allowance provided by the Examiner is respectfully requested.

#### **FEES**

Applicants authorize the charging of Deposit Account No. 503079 (Freescale Semiconductor, Inc.) for any fees owed in connection with this application, or credit Deposit Account No. 503079 (Freescale Semiconductor, Inc.) for any refunds.





### REMARKS

In a communication mailed August 26, 2004, claims 1-23 were allowed. The Examiner provided reasons for allowance of the claims. Certain statements made are misleading and Applicants are herein stating in the record their disagreement therewith. For example, the statement "Examiner agrees with Applicants that Emma et al. (USP 5,434,985), the closest reference,...." is misleading because it implies that Applicants stated that Emma et al. is the closest prior art made of record. Applicant did not make such a representation of the Emma et al. patent and noted in the previous communication various differences between the claims and the Emma et al. patent.

Additionally, the Examiner quoted claim recitals from claims 13, 17, 19, 20 and 23 and stated that these selected portions of the claims made the claims allowable in combination with all of the other limitations in the respective independent claims. Therefore, it is clear from the record that the Examiner's quotation of specific portions of the independent claims was illustrative and not the only basis for novelty found in the allowed claims.

SEND CORRESPONDENCE TO:

Freescale Semiconductor, Inc.

Law Department

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Respectfully submitted,

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LAW DEPARTMENT

September 26, 2004 DATE:

(703) 305-8283 TO: MAIL STOP ISSUE FEE

(EXTENSION) (ADDRESSEE)

(703) 746-4000 USPTO (LOCATION) (FAX NUMBER)

FROM: (512) 996-6839 Robert King/Pat Thomas (EXTENSION) (SENDER)

> 6 (including this page) TOTAL NUMBER OF PAGES

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Docket No.: SC11493TH

Applicant:

William C. Moyer et al.

Serial No.:

09/779,886 2183

Art Unit: Filed:

February 9, 2001

Class:

712-236000

## ALL ITEMS MARKED WITH AN "X" ARE INCLUDED:

1	•	X	1 page Facsimile Cover Sheet
2	<u>.</u> '	X	1 page PTOL-85B Issue Fee <u>Yransmittal (in duplicate)</u>
3	).	Х	1 page Issue of Patent to Assignee Pursuant to 37 CFR 3.81
4	J	Х	2 page Comments on Statement of Reasons for Allowance

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#### FREESCALE SEMICONDUCTOR LAW DEPARTMENT 7700 W. PARMER LANE MD: TX32/PL02 **AUSTIN, TEXAS 78729** Fax Number (512) 996-6854

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